

PREVIEW ONLY

FY22 Juvenile & Family Services: Jurisdictional Budget Requests

Description	<p>Grant Purpose</p> <p>These grants are designed to maintain family divisions within Maryland's larger circuit courts and to support family services programs within the smaller circuit courts. They are intended to assist the circuit courts in fulfilling their mandates under the Maryland Rules.</p>
Awarding Agency Name	Juvenile & Family Services
Agency Contact Name	Pen Whewell
Agency Contact Phone	410-260-1262
Agency Contact Email	DJFSGrants@mdcourts.gov
Fund Activity Category	Other
Category Explanation	
Opportunity Manager*	Kelly Franks
Posted Date	6/30/2020
Archive Date	6/30/2024
Announcement Type	Initial announcement
Funding Opportunity Number	O-JFS-2022-0006
Agency Opportunity Number	
Assistance Listings Number	
Public Link	https://www.gotomygrants.com/Public/Opportunities/Details/ef945eaa-8229-474f-a932-39ea1c259262
Is Published	Yes

Funding Information

Total Program Funding	\$0.00 +
Funding Sources	State

Funding Source Description The availability of funds is contingent upon the provision of funds in the Maryland Judiciary budget by the Maryland General Assembly for Fiscal Year 2022. Applicants who are awarded funding will receive notice by May 31, 2021.

Funding Restrictions

Award Information

Award Ceiling

Award Floor

Award Start Date 7/1/2021

Award End Date 6/30/2022

Award Announcement Date 1/13/2021

Award Type Competitive

Capital Grant No

Expected Number of Awards

Indirect Costs Allowed No

Matching Requirement No

Submission Information

Submission Timeline Type One-Time

Submission Open Date 6/30/2020 12:00 AM

Submission Close Date 4/9/2021 11:59 PM

Time Zone (UTC-05:00) Eastern Time (US & Canada)

Submission Timeline Additional Information Initial Budget Requests were due August 7, 2020. Final Budget Requests are due on April 9, 2021.

Allow Multiple Applications Yes

Application Review Start Date / Pre-Qualification Deadline 4/10/2021

Other Submission Requirements

Question Submission Information

Question Submission Open Date

Question Submission Close Date

Question Submission Email Address
DJFSGrants@mdcourts.gov

Question Submission Additional Information
For general questions about this grant category, please review the attached Special Conditions.

Attachments
FY22 Jurisdictional Special Conditions UPDATED 010821

Technical Assistance Session

Technical Assistance Session
Yes and Mandatory

Session Date and Time
2/19/2021 1:30 PM

Conference Info / Registration Link
<https://mdcourts.zoomgov.com/j/1602017987?pwd=OEx5R2R3M0xMdFN6OVBRZGRmOFp6QT09>

Eligibility Information

Eligibility Type
Public

Eligible Applicants
County Governments

Additional Eligibility Information
Eligible Applicants
Maryland Circuit Courts or any governments administering Circuit Court Family Divisions / Family Services Programs in the State of Maryland.

Additional Information

Additional Information URL
www.mdcourts.gov/procurement/grants

Additional Information URL Description
Additional Information URL Description: All grant awards are subject to the Maryland Judiciary's General Grant Conditions, and the Special Conditions for FY22 Jurisdictional Family Services Grants. The General Conditions and Special Conditions can be previewed on the Department of Procurement, Contract and Grant Administration Grants Home page.

Award Administration Information

State Award Notices

Administrative and National Policy Requirements

Reporting

State Awarding Agency Contacts

Other Information

**MARYLAND JUDICIARY
ADMINISTRATIVE OFFICE OF THE COURTS
GENERAL GRANT CONDITIONS**

1. Applicability

These General Grant Conditions apply to all Maryland Judiciary Grant recipients, including recipients of Cooperative Reimbursement Agreements.

2. Scope of the Grant

A Notice of Funding Availability (NOFA), also referred to as a Funding Opportunity, defines the grant specifications, including requirements for funding, funding term, and application submission information.

3. Disbursement of Funds

The Judiciary shall disburse funds on a quarterly basis upon the grantee's timely submission of a Grant Invoice and a Detailed Expenditure Report reflecting actual grant expenditures incurred during the quarter, and the required Progress and/or Statistical reports. Other payment options may be available by agreement with the Grant Awarding Department.

4. Grant Award

The Judiciary will review the application and determine the grant award amount. Funded applicants are required to sign and return the Grant Award and Acceptance Form, a finalized budget based upon the grant award amount, and a Financial Information form. Additional documentation may be required. The Maryland Judiciary reserves the right to change the amount awarded based upon the availability of funds and the actual rate of spending by the grantee.

5. Award Period

Grants are awarded on a defined schedule based upon funding availability. State funded grants are awarded within the State Fiscal year: July 1 through June 30. Costs may not be incurred prior to the start of the award period. Costs may not be incurred after the end of the award period. Grantees must project and report any anticipated unspent Judiciary funds by the deadline determined by the Grant Awarding Department.

6. Non-performance

The Judiciary may withhold, reduce or cancel a grant award based on lack of performance or for noncompliance with the terms of the Grant Award and Acceptance Form, including the General Grant Conditions and Special Grant Conditions associated with the grant award.

7. Post-Award Technical Assistance

Assistance is available during the grant period by contacting the support person from the relevant Grant Awarding Department.

8. Reporting

All grantees must submit financial and program reports using the reporting forms provided with the Award, and in the timeframe specified in the Award.

Data Collection and Evaluation

Grantees must collect statistical data, evaluate the effectiveness of the grant

project, and report the results as detailed in the Award.

9. Financial Management

A. Recordkeeping and Accounting

Requirements- Grantees must follow all recordkeeping and accounting guidelines and requirements provided by the Judiciary. Grantees must retain and make available for site visits and audits the records and supporting documentation for all expenses related to the grant-funded project, and must reconcile those expenses to the organization's financial records, financial reports and Grant Invoices. Grantees must keep all financial records relating to their Judiciary grant for a minimum of five years, or as otherwise directed. Either hard copy files or electronic grant files are acceptable, unless otherwise stipulated in the Grant Award.

B. Distribution of Funds

Costs incurred must be treated consistently as either a direct or an indirect cost in order to avoid double charging any portion of the grant award.

Direct costs are those costs directly attributable to a program or project.

i. Personnel Costs

- a. All grantees must have and adhere to written policies concerning payroll, personnel, and time and effort for any position supported by the grant.
- b. When grant funds are used to pay salaries, the grantee must maintain time sheets and payroll records for

those staff positions to document that the staff person(s) worked on grant-related activities.

- c. Grantees that pay for salaries out of more than one funding source must clearly demonstrate accurate allocation to each funding source.
- d. Salary adjustments for grant-funded circuit court employees will be provided consistent with those appropriated by the legislature for state Judiciary positions. Grant support for fringe benefits will also change commensurate with any salary adjustments made. Local governments are authorized to provide supplemental funds for salary and fringe benefits beyond the amount provided under a grant.
- e. The Grant Awarding Departments may take into consideration turnover rates when determining the total amount granted for personnel costs.
- f. The Grant Awarding Departments may confer with the Judiciary's Human Resources Department when determining the amount granted for any grant-funded position.

ii. Contractual Costs

- a. Grantees are required to follow their own written

procurement policies in expending grant funds. Grantees, that do not have an established written procurement Policy, must follow the Judiciary [Procurement Policy](#).

- b. Goods and/or services purchased with grant funds shall remain in the ownership and liability of the grantee (unless otherwise stipulated), and the grantee shall assume responsibility for all routine equipment maintenance and/or replacement costs.
- c. Grantees that use grant funds for contractual services must notify potential contractors that funds for the project originated from a Maryland Judiciary grant and that the conditions which accompany that grant award are part of the contract.
- d. Grantees may not use grant funds to contract with any individual or entity that has been prohibited from doing business with the State of Maryland, and is consequently listed on the State's [Debarment List](#).
- e. Grantees are required to have and follow their own written grant policies when awarding grant funds to an outside entity. Grantees may be required to obtain prior approval from the

Grant Awarding Department before sub--granting funds. Grantees who do not have an established grant policy must follow the Judiciary's [Grant Policy](#) and procedures.

- f. Grantees are required to have and follow their own written interagency agreement policies when establishing Memoranda of Understanding (MOU) or Interagency Agreements (IGA) with an outside agency. Grantees may be required to have prior approval from the Grant Awarding Department to establish such agreements. Grantees that do not have an established interagency agreement must follow the Judiciary's [MOU Policy](#) and procedures.

iii.

Travel Costs

When a traveler is an employee of the grantee, or is a judge, magistrate or Judiciary employee, and travel costs are approved as part of the Grant Award, travel is an allowable direct cost where such travel will provide direct benefit to the project. When a traveler is not an employee of the grantee, authorized travel costs must be recorded and reimbursed under Contractual Costs. Grantees are required to follow their own written travel policy when expending funds approved for travel. Judiciary employees,

and grantees who do not have an established written travel policy, must follow the [State Joint Travel Regulations – Judicial Branch Travel Policy](#).

iv. Training Costs

Grantees that provide education and training using Judiciary funds must adhere to the Judiciary's [Education and Training Policy](#) and, when applicable, shall work with their Grant Awarding Department to ensure prior approval of training activities.

v. Other Direct Costs

Costs which are directly attributable to the project or program not defined under i. through iv. above include, but are not limited to: equipment, software, and supplies, may be included in Direct Costs.

vi. Indirect Costs

Indirect Costs are those costs to an organization that are not readily assignable to a particular project but may be necessary for the organization to meet its goals and complete a funded project.

Non-profit organizations may request reimbursement of indirect costs at their federally-negotiated and received Indirect Cost Rate, if applicable, or at a rate of 10% of Modified Total Direct Costs (MTDC).

Modified Total Direct Costs are all costs directly attributable to

the project under salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subawards and subcontracts up to the first \$25,000 of each subaward or subcontract.

Court and government grantees are not eligible to receive funds to support indirect costs.

C. Restrictions on Use of Funds

Grantees may not use funds for religious, political, or lobbying purposes. Other restrictions on the use of grant funds may be contained in the Special Grant Conditions for each grant type.

10. Modifying the Grant

Grantees must adhere to the following:

A. Budget Modification

- i. Grantees may move small amounts of their budget without prior approval when those modifications involve less than 10% of the grant award amount, or \$10,000 per quarter, whichever is less.
- ii. If the modification would add a new budget line item to the grant, not included in the final award budget, preapproval is required regardless of the amount.
- iii. Expenditures that do not comply with the adjusted or approved budget will not be authorized for payment.

B. Project Modifications

Grantees must receive written approval from the Grant Awarding

Department to change the purpose or activities of the grant. Grantees must submit a written change of purpose request for approval by the Grant Awarding Department. When the change of purpose impacts the budget, the grantee must also submit a revised project budget detailing any costs related to this change.

11. Grant Monitoring

A Judiciary review of all submitted reports is used to evaluate the grantee's progress towards meeting their stated goals, objectives, and assigned performance measures. The Judiciary may conduct audit reviews of grant recipients. By accepting Judiciary grant funds, grantees agree to be subject to a review or audit of their grant-funded project, if requested.

12. Close Out

Grantees will submit final reconciled financial reports, final grant invoices, and deliverables to the Grant Awarding Department as directed in the Award no later than 45 days after the end of the grant award period, unless previously agreed upon with the Grant Awarding Department. Once the Grant Awarding Department has verified the completion of the financial and program requirements by the grantee, and payment of the final Grant Invoice has been processed, the grant will be closed. Any remaining funds will no longer be available to the grantee. Any overbillings or audit adjustments must be remitted to the Judiciary within 60 days of discovery or notice to grantee, whichever is sooner.

13. Use of Information

The Judiciary has the right to use information reported in statistical

reports, annual reports, and other publications for general distribution. In addition, the Judiciary has the right to reproduce, with attribution, and share any and all materials and documents generated as a result of a Judiciary grant.

14. Acknowledgement of Support

When creating and disseminating materials, reports or other products (paper or electronic) or statements as part of the grant project, grantees must include the following acknowledgement: *"This project is supported by a grant from the Maryland Judiciary's [insert relevant Grant Awarding Department]."*

15. Policy Against Discrimination

Grantees must not discriminate in any manner against any person because of race, color, religion, age, sex, marital status, national origin, physical or mental disability, familial status, genetic information, gender identity or expression, sexual orientation, or any other characteristic protected by State or Federal law.

Administrative Office of the Courts

JUVENILE AND FAMILY SERVICES

187 HARRY S. TRUMAN PARKWAY, ANNAPOLIS, MD 21401

ISSUED: JULY 2, 2020

UPDATED: JANUARY 8, 2021



Special Conditions for FY22 Jurisdictional Family Services Grants

1. Overview of the Jurisdictional Family Services Program

The Maryland Judiciary is committed to enhancing the circuit courts' ability to provide a fair, efficient, and effective forum for resolving domestic and juvenile matters. The Judiciary is equally committed to ensuring that services provided by the courts are accessible to all litigants regardless of their ability, and without regard to representational status. Jurisdictional Family Services Grants are awarded by Juvenile and Family Services (JFS) to support family divisions within Maryland's larger circuit courts and family services programs within the smaller circuit courts. These grants are intended to assist the circuit courts in fulfilling the mandate of Maryland Rule 16-307 (formerly Rule 16-204).

2. Eligibility

Maryland Circuit Courts or any governments administering Circuit Court Family Divisions or Family Services Programs in the State of Maryland are the only entities eligible for Jurisdictional Family Services grants.

3. Application Process

All Circuit Court Jurisdictional Grantees submit Budget Requests forecasting their program needs one year in advance; projected budgets for Fiscal Year 2022 are submitted at the beginning of Fiscal Year 2021, (generally due in the last week of July, unless otherwise directed by the JFS). Budget Requests will also include a narrative detail requiring information about family programs, positions and goals in addition to the budget projection.

Grantees are encouraged to seek additional funding for family services activities and programs from sources other than the grants described above. Local county governments that support the regular activities of the circuit court should continue to provide funding for existing positions. Local county governments should also support new positions or programs to advance the courts' family law initiatives.

4. Funding Period

JFS awards Jurisdictional Grants on the state's fiscal year cycle. Grants awarded for Fiscal Year 2022 will support family and juvenile program needs from July 1, 2021 through June 30, 2022. All funds must be expended within this time period.

5. Funding of Personnel

The JFS supports positions through the Jurisdictional Family Services grants that further the ability of the court to provide the family services outlined in Rule 16-307.

The salary and fringe amounts budgeted for court positions are subject to the funding limitations outlined in the General Grant Conditions specifically:

Salary adjustments for grant-funded circuit court employees will be provided consistent with those appropriated by the legislature for state Judiciary positions. Grant support for fringe benefits will also change commensurate with any salary adjustments made. Local governments are authorized to provide supplemental funds for salary and fringe benefits beyond the amount provided under a grant.

When budgeting for positions, the salary and fringe amounts should be held flat unless an increase has been authorized for Judiciary positions. If an increase has been authorized, it will be detailed in the grant award announcement. If no increase has been authorized, positions must be budgeted at the same amount as the prior year, unless the position fits the situations described below.

Aside from salary adjustments authorized by the legislature for Judiciary positions, adjustments to the budgeted amounts for the grant-funded court positions will also be permitted when,

- a. a position becomes vacant, and the new hire has a different salary/fringe rate,
- b. the position is reclassified by the county's human resources department, and/or
- c. for other good cause upon submission of a modification request.

1. Costs that are not allowable:

- a. Indirect costs for courts and government grantees,
- b. Professional association and licensure dues for individuals, and
- c. Other costs not related to the effective operations of the family division or family services programs.

2. Reporting

A. Program & Statistical Reporting

1. Programs are required to report on progress toward specific project goals and provide statistical information on a quarterly basis.

2. Specific program and statistical reporting requirements, including required reporting forms, will be provided to grantees by email prior to the start of the funding period. Reporting forms will be cumulative Excel Workbooks. Partial or incomplete reports will not be accepted. Reports submitted on forms other than those provided by the JFS for FY22, will not be accepted.

B. Financial Reporting

1. Programs are required to provide signed expenditure reports and grant invoices on a quarterly basis. These documents must be submitted by the due dates outlined in Section D., even if the grantee did not expend any funds during the quarter.

2. Specific reporting requirements, including required reporting forms, will be provided to the grantee by email early in the funding period. Reporting forms will be cumulative Excel Workbooks personalized for each grantee.

C. Rule 16-307 Reports

1. Pursuant to Rule 16-307, the services provided by each family division or family services program must be reported to the Chief Judge of the Court of Appeals annually. The applicable section of the Rule states:

16-307(a)(4)(D)

(4) Responsibilities of the County Administrative Judge. The County Administrative Judge of the Circuit Court for each county having a family division shall:

(D) prepare and submit to the Chief Judge of the Court of Appeals, no later than October 15 of each year, a written report that includes a description of family support services provided by the court's family division in the preceding fiscal year.

16-307(b)(4)

(b) Circuit courts without a family division.

(4) Report to the Chief Judge of the Court of Appeals. The County Administrative Judge shall prepare and submit to the Chief Judge of the Court of Appeals, no later than October 15 of each year, a written report that includes a description of the family support services provided by the court in the preceding fiscal year.

2. To satisfy the Rule 16-307 reporting requirement, the program reporting workbook contains a separate cover sheet for the Q4 program report. That cover sheet indicates that the data reflected in the Q4 report indicates the services provided by the family services program or family division during the fiscal year. The JFS will submit the submitted Q4 reports to the Chief Judge no later than October 15th of each year. No further reports are required to be submitted by the grantee jurisdictions.

D. Report Submission Requirements

All reports (financial and program/statistical) must be submitted electronically to the JFS, emailed to DJFSGrants@mdcourts.gov by the due dates outlined below. Reports must be scanned PDFs of the signed hard copy reports. In the fourth quarter, both the Excel and PDF versions of the financial and progress reports must be submitted. Submitting paper copies of the reports is not required. When a due date falls on a weekend or holiday, reports are due the next business day.

<u>Reporting Period</u>	<u>Report Due Date</u>
1 st Quarter (July 1 thru Sept 30)	November 15
2 nd Quarter (Oct 1 thru Dec 31)	February 15
3 rd Quarter (Jan1 thru Mar 31)	May 15
4 th Quarter (April 1 thru June 30)	August 15

3. Modifications

A. Non-Personnel Costs

Modifications to the grant budget that do not impact personnel costs must be made in compliance with the terms outlined in the General Grant Conditions (<http://mdcourts.gov/procurement/grants.html>) and the additional terms outlined below.

Per page 3, #10 of the General Grant Conditions:

- a. Grantees may move small amounts of their budget without prior approval when those modifications involve less than 10% of the grant award amount, or \$10,000 per quarter, whichever is less.
- b. If the modification would add a new budget line item to the grant, not included in the final award budget, preapproval is required regardless of the amount.
- c. Expenditures that do not comply with the adjusted or approved budget will not be authorized for payment.

When a preapproval is required for a budget modification, grantees must complete the "Modification" spreadsheet found in the financial reporting workbook and submit the entire financial reporting workbook (in Excel) to DJFSGrants@mdcourts.gov for approval.

B. Personnel Costs

The Modification terms outlined in the [General Grant Conditions](#) do not apply to Personnel Costs. For Personnel costs (salary and fringe), expenditures are limited to the budgeted amount for each individual position. Aside from salary adjustments authorized by the legislature for Judiciary positions described in #4 of these Special Conditions, adjustments to the budgeted amounts for the grant-funded court positions will also be permitted when,

- a. a position becomes vacant, and the new hire has a different salary/fringe rate; and/or
- b. the position is reclassified by the county's human resources department.

In the above two situations, the grantee should contact the JFS to effectuate the personnel change.

4. Mid-Year Grant Award Modifications (Supplements)

JFS may make mid-year grants upon request, dependent upon availability of funds. Requests may be submitted in response to a Notice of Funding Availability (NOFA) or upon consultation with JFS staff.

5. Grant Monitoring

A. Programmatic

JFS staff will review submitted program/statistical reports and will follow-up with grantees as needed to gather additional information and assess performance. Follow-up will be made by phone and in person through site visits. The site visits are designed to ensure compliance with the grant guidelines and review progress.

B. Financial

JFS staff will review submitted financial reports to evaluate the grantee's spending. During one quarter per funding period, grantees will be required to submit back-up documentation of expenditures being invoiced. Notice of this financial check will be provided at the close of the quarter for which documents are being requested. Site visits will be conducted when the financial review raises a concern.

C. Audit

All grantees funded by the AOC are subject to audit by the AOC's internal auditors. These audits will occur once every three to five years.

6. Fees for Services

If authorized by law, individual litigants may be levied a fee for services that are provided by the circuit court family division or family services program. Fees may be made payable to the court or to an individual service provider (such as a mediator or parent educator). Whenever a court directs the payment of fees for a court-ordered service, it should, when possible, require the parties to pay the service provider directly.

A. Management of Fee Collection

Prior to levying fees, the circuit court must establish written procedures for collecting and accounting for such fees, and for providing for fee waivers to those of limited financial means. A copy of the written procedures must be submitted to the JFS upon request.

1. Fees Accounting

Each Circuit Court Jurisdictional Grantee that collects fees shall establish a formal system for collecting fees and for monitoring accounts receivable. Fees should be collected and monitored in accordance with the Accounts Receivable policies detailed in the Maryland Judiciary Accounting Manual.

2. Fees for Services Funded by the Grant

If a fee is collected for a service provided by a Circuit Court Jurisdictional Grant, the fee shall be deposited into the family division/family services revenue account. Under no circumstances shall funds be commingled with or revert to general county or city funds.

B. Use of Fees Collected

1. Prohibition on Remitting or Commingling Funds with the Local Government Funds

Any fees collected for family services funded by the grant must be deposited into a family services revenue account and not commingled with or reverted to county or city funds. In the event that the court collects fees for family services funded by a grant from the Administrative Office of the Courts (AOC) and does remit the monies collected to the local government, then the court is required to remit the percentage of the monies collected equivalent to the level of funding supported by the grant to the AOC.

For example, if the grant covers 50 percent of the program cost for parenting classes, then the grantee must remit to the AOC 50 percent of the fees collected if the fees are remitted to the local government.

2. Funds Retained in Family Services Revenue Account

a.) If the court collects fees for family services funded by a grant from the AOC and retains the money, the funds may be used to supplement any of the family services within the parameters of the grant.

For example, if awarded a grant for various services, i.e., parenting classes, custody evaluations, and supervised visitation, and fees are collected for parenting classes from those individuals deemed able to pay, then the grantee may reinvest those monies in parenting classes, custody evaluations or supervised visitation, depending on the area of need.

b.) If the court collects fees for family services funded by a grant from the AOC and retains the monies collected, the court may seek permission from the Director of Juvenile and Family

Services to reinvest those monies in a family-related area for which grant funds were not received using the "Fee Authorization" form found in the Progress Reporting Workbook.

3. Time to Expend/Remit Funds

All monies collected through fees must be expended or remitted by the end of the fiscal year in accordance with the policy outlined above. All monies collected and not expended by the end of the fiscal year must be remitted to the AOC.

4. Fee Reporting

Along with regular program and financial reporting, each jurisdictional grantee is required to submit on a quarterly basis an accounting of all monies collected through the assessment of fees for services and all monies expended from fees collected by the court. This includes fees reinvested for services within the parameters of this grant, as well as fees used to fund family-related services for which grant funds had not been awarded (as approved by the Director of the JFS).

C. Fee Waivers

Each Circuit Court Jurisdictional Grantee shall provide litigants the opportunity to request a waiver of fees for any court-ordered or voluntary service provided through the court. If charging a fee, the court may also offer a sliding scale arrangement to low income litigants. Even if a sliding scale fee is charged, however, the court must offer a complete fee waiver in appropriate cases.

Guidelines for issuing Fee Waivers are contained as an appendix to this document.

7. Contact Information

A. Grantee Contacts

Grantees are responsible for providing JFS with accurate and up-to-date contact information for their program. This includes an email address, as the JFS sends all correspondence by email.

B. JFS Contact Information

Unless otherwise indicated, all communications with the JFS should be sent by email to: DJFSGrants@mdcourts.gov.

Questions can also be directed to:

Pen Whewell, Grants Specialist: 410-260-1262

Kelly Franks, Program and Policy Manager: 410-260-1722

8. Key FY22 Dates

<u>Reports/Events</u>	<u>Date</u>
FY22 NOFA Posted	July 1, 2020
FY22 Budget Requests Due	August 7, 2020
FY22 Application Revisions Due	April 9, 2021
FY22 Award Announcements	May 14, 2021
FY22 Grant Acceptance Docs Due	May 28, 2021

FY22 Q1 Reports Due	November 15, 2021
FY22 Q2 Reports Due	February 15, 2022
FY22 Q3 Reports Due	May 15, 2022
FY22 Remaining Funds Report	June 15, 2022
FY22 Q4 Reports Due	August 15, 2022

APPENDIX: Fee Waiver Instructions

Fee Waivers

Each Circuit Court Jurisdictional Grantee shall provide litigants the opportunity to request a waiver of fees for any court-ordered or voluntary service provided through the court. The court may also offer a sliding scale arrangement to low income litigants, if they charge a fee. Even if a sliding scale fee is charged, however, the court must offer a complete fee waiver when the litigant's income is below the threshold amounts indicated on the attached chart.

1. Forms

Circuit Court Jurisdictional Grantees shall provide any litigant who wants to request a waiver of family services fees with a copy of the Motion for Family Services Fee Waiver, proposed Order, and accompanying Affidavit. The circuit court shall consider any such motion filed according to the standards provided below.

2. Determining Eligibility

A. Definitions

In determining eligibility for fee waivers, please refer to the definitions below:

i. Income Actual current annual total cash receipts before taxes of all persons who are resident members of, and contribute to, the support of a family unit.

Income INCLUDES:

- Wages and salaries before any deduction
- Income from self-employment after deductions for business or farm expenses
- Regular payments from public assistance, social security, unemployment and worker's compensation
- Strike benefits from union funds
- Veterans benefits
- Training stipends
- Alimony, child support and military family allotments or other regular support from an absent family member or someone not living in the household
- Public or private employee pensions
- Regular insurance or annuity payments
- Income from dividends, interest, rents, royalties or from estates and trusts

Income DOES NOT INCLUDE:

- Money withdrawn from a bank
- Tax refunds
- Gifts
- Compensation and/or one-time insurance payments for injuries sustained
- Non-cash benefits
- Food or rent in lieu of wages

ii. Family Size The number of adults and children residing in the home with the person requesting the fee waiver. It may also include children who do not reside with the person requesting the waiver, but for whom the person is currently paying support.

Factors to consider when determining "family size":

- living arrangements
- familial relationships
- legal responsibility
- financial responsibility or family unit definitions used by government benefits agencies

B. Procedure

i. Determine Income and Family Size and reference chart below for waiver eligibility.

ii. A full fee waiver **must** be granted to those individuals whose income is below the threshold indicated, **UNLESS**:

The litigant has significant assets that can be readily drawn upon to pay for the services for which a fee waiver has been requested;

OR

The litigant has significant assets that suggest that they have access to the resources necessary to pay the fee for which a waiver has been requested, even though those resources may not be reflected in their income statement. Significant assets in excess of a house and a car might warrant closer scrutiny.

iii. A full or partial fee waiver may be granted to an individual whose income is higher than the threshold indicated, if:

The court adopts guidelines that are more lenient than those indicated in the chart, and applies those guidelines to all litigants requesting fee waivers;

OR

The litigant demonstrates that they have extraordinary expenses that affect their ability to pay the fee.

Factors which may be considered include:

- Medical expenses
- Fixed debts and obligations, including unpaid Federal, state and local taxes from prior years;
- Child care, transportation and other expenses necessary for employment;
- Expenses associated with age or physical infirmity of resident family members; and other significant factors related to financial inability to pay for services.

FY21 Eligibility Limits:

Circuit court grantees shall grant a complete waiver of family services fees to any litigant whose income is **equal to or less** than the amounts in the table below:

Family Size	Annual Income	Monthly Income	Weekly Income
1	31,211	2,601	600
2	40,815	3,401	785
3	50,418	4,202	970
4	60,022	5,002	1,154
5	69,626	5,802	1,339
6	79,229	6,602	1,524
7	81,030	6,752	1,558
8	82,830	6,903	1,593
9	84,631	7,053	1,628
10	86,432	7,203	1,662

The figures above reflect 50% of the median family income for the State of Maryland and establish maximum income levels for waiver eligibility.

The income levels above are based on household income estimated by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services, which states that the median income for a Maryland family of four is \$120,044.¹

THE ABOVE TABLE WILL BE UPDATED AT THE START OF FY22

¹ As estimated for the Low-Income Home Energy Assistance Program and provided at <https://www.acf.hhs.gov/ocs/resource/liheap-im-2020-02-state-median-income-estimates-for-optional-use-fy2020-and-mandatory-use-fy2021>